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 LISA M. BERTAIN CASB NO. 124646
 JULIE L. TAYLOR CASB NO. 154341
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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

BUGRA BAKAN, an individual, and
 CANG NGUYEN, an individual, each on
 his own behalf and on behalf of all others
 similarly situated,

Plaintiffs,

vs.

CITIGROUP, INC., a Delaware
 corporation; CITIBANK, F.S.B., a Savings
 Association, dba CITIBANK
 CALIFORNIA; CITIBANK (WEST) F.S.B.,
 a Savings Association; CITICORP
 INVESTMENT SERVICES, a Delaware
 corporation; and DOES 1 through 50,
 inclusive,

Defendants.

Case No. C 03 4748 MMC

**STIPULATION REGARDING
 SUPPLEMENTAL CLASS MAILING
 AND ~~PROPOSED~~ ORDER THEREON**

1 **IT IS HEREBY STIPULATED AND AGREED** by and between the
 2 parties herein, through their respective attorneys of record, as follows:

3 (1) The parties recently discovered that, due to an inadvertent computer
 4 error, approximately 100 Class Members were omitted from the mailing to the Class
 5 which occurred on May 22, 2006;

6 (2) Defendant is in the process of obtaining address and work week
 7 information regarding the inadvertently omitted Class Members and anticipates
 8 providing it to the claims administrator such that notice can be mailed to these Class
 9 Members on June 19, 2006;

10 (3) The parties believe that an eight-week period of time between the
 11 anticipated mailing on June 19, 2006 and the August 14, 2006 deadline for submitting a
 12 Claim Form, submitting a Request for Exclusion, or objecting to the settlement is
 13 sufficient notice for these Class Members. The parties further believe that an eight-week
 14 period exceeds the time approved by many courts and equals or exceeds “the bulk of
 15 notices directing 30- to 60-day intervals between mailing or publishing class notice and
 16 the filing of an affirmative response by class members.” A. Conte & H. Newberg, 4 Newberg
 17 on Class Actions § 8:35, p. 276 (4th ed. 2002); *accord, e.g., In re Bankamerica Corp. Securities Lit.*
 18 (2002) 210 F.R.D. 694, 708 (E.D. Mo. 2002) *and cases cited therein*. All Class Members, including
 19 those receiving the June 19, 2006 notice, will also benefit from the late claim and disputed claim
 20 procedures contained in the parties’ settlement agreement and the Court’s preliminary approval order.
 21 *See, e.g., Manual for Complex Litigation, Fourth* § 21.661 (4th ed. 2004); *Crazy Eddie Securities Lit.*,
 22 906 F. Supp. 840, 845 (E.D. N.Y. 1995) (*citing Manual for Complex Litigation, Third* § 30.47
 23 (“special master may be charged with reviewing all claims or those that are late, deficient in
 24 documentation, or questionable for other reasons.”)).

25 (4) In order to avoid prejudice to the Class, Defendant shall pay for any additional
 26 administration costs associated with the mailing on June 19, 2006 (not including the costs that would
 27 have been incurred had the inadvertently omitted Class Members been included in the mailing which
 28 occurred on May 22, 2006). This amount shall not be deducted from the Gross Fund Value. This

amount shall be determined by the Claims Administrator and, if disputed by either party, shall be subject to binding determination by the Special Masters.

(5) The Final Settlement Approval Hearing will remain scheduled for October 6, 2006 at 9:00 a.m. at set forth in the Notice of Pendency of Class Action and Proposed Settlement.

DATED: June 13, 2006

/s/ Richard C. Rybicki
 RICHARD C. RYBICKI
 RYBICKI & BLEVANS, LLP
 Attorneys for Plaintiffs
 BUGRA BAKAN and CANG NGUYEN

DATED: June 13, 2006

/s/ Benjamin W. White
 SAMUEL A. KEESAL, JR.
 LISA M. BERTAIN
 JULIE L. TAYLOR
 BENJAMIN W. WHITE
 KEESAL, YOUNG & LOGAN
 Attorneys for Defendants
 CITIGROUP, INC.; CITIBANK, F.S.B., dba
 CITIBANK CALIFORNIA; CITIBANK
 (WEST) F.S.B.; and CITICORP
 INVESTMENT SERVICES

IT IS ORDERED that:

(1) Notice shall be mailed on June 19, 2006 to the inadvertently omitted Class Members as described above;


(2) The eight week period of time between the anticipated mailing on June 19, 2006 and the August 14, 2006 deadline for submitting a Claim Form, submitting a Request for Exclusion, or objecting to the settlement, plus the time and procedures set for resolving late and disputed claims, is hereby deemed sufficient notice for these class members;

(3) Defendant shall pay for any additional administration costs associated with the mailing on June 19, 2006 (not including the costs that would have been incurred had the inadvertently omitted Class Members been included in the mailing which occurred on May 22, 2006). This amount

1 shall not be deducted from the Gross Fund Value. This amount shall be determined by the Claims
2 Administrator and, if disputed by either party, shall be subject to binding determination by the Special
3 Masters; and

4 (4) The Final Settlement Approval Hearing will occur on October 6, 2006 at
5 9:00 a.m. at set forth in the Notice of Pendency of Class Action and Proposed Settlement.

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8 DATED: June 16, 2006


Honorable Maxine M. Chesney
United States District Judge